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1 MEDIATOR:

2 LAVERNE FLETCHER, Presiding

3

4 ALSO PRESENT:

5 MICHAEL FONSECA

6 TOBIAS ARFF

7 ABIGAIL NICHOLS

8 STEVEN KAMENY

9 JEFFREY BROOKE

10 MEREDITH DEHART

11 ROBERT COGGINS

12 KATIE MASTIN

13 PAUL MASTIN

14 MELISSA MORITZ

1 P-R-O-C-E-E-D-I-N-G-S

2 [START 9:39 A.M.] ROLL CALL HEARING

3 MEDIATOR FLETCHER: Would the parties in the  
4 matter of Doubletree Washington please come  
5 forward? The parties in the matter of Doubletree  
6 Washington. This is Case #16-PRO-00086. The  
7 only people who need to sign in on this sheet are  
8 the designated representatives only.

9 MS. NICHOLS: You don't want each member of  
10 the group of five?

11 MEDIATOR FLETCHER: Just the designated  
12 representative only, but we'll get to them, Ms.  
13 Nichols. This is case #16-PRO-00086, KHP, IV DC  
14 TRS LLC trading as Doubletree Washington, DC,  
15 1515 Rhode Island Avenue, NW, license #ABRA-  
16 102437. This is a Retailer Class CR license  
17 renewal. The protest issues are adverse impact  
18 on peace, order and quiet and parking. My name  
19 is Laverne Fletcher, and I'm conducting the roll  
20 call hearing as the board's agent pursuant to DC  
21 Official Code 1601.2. Introductions beginning  
22 with the applicant please.

1 MR. FONSECA: Michael Fonseca on behalf of  
2 the applicant.

3 MEDIATOR FLETCHER: Thank you, Mr. Fonseca.  
4 Can you spell your last name for the record?

5 MR. FONSECA: F-O-N-S-E-C-A.

6 MEDIATOR FLETCHER: Thank you.

7 MR. ARFF: Tobias Arff, General Manager of  
8 the Doubletree. My last name is spelled A like  
9 in apple, R like Robert, F like Frank, F like  
10 Frank.

11 MEDIATOR FLETCHER: I think I missed most of  
12 that, the first letter is A?

13 MR. ARFF: A like apple, like the sound of a  
14 dog with two Fs, Arff.

15 MEDIATOR FLETCHER: Okay. Thank you very  
16 much. And present on behalf of ANC 2B?

17 MS. NICHOLS: Good morning, Ms. Fletcher, I'm  
18 Abigail Nichols representing ANC commission 2B.

19 MEDIATOR FLETCHER: Thank you, Ms. Nichols.  
20 That's A-B-I-G-A-L?

21 MS. NICHOLS: A-B-I-G-A-I-L.

22 MEDIATOR FLETCHER: A-I-L, and N-I-C-H-O-L-S.

1 MS. NICHOLS: And do you have my contact --  
2 I'm left handed right now, my writing will be  
3 illegible. Do you have enough information on me?  
4 Thank you.

5 MEDIATOR FLETCHER: Ms. Nichols, let me take  
6 a quick look here.

7 MS. NICHOLS: ANC sent two letters, a protest  
8 when it was originally placarded and then a  
9 letter to just say we wanted to maintain that.

10 MEDIATOR FLETCHER: I've got the information.  
11 I have the e-mail address right here. The only  
12 thing I need, Ms. Nichols, is your daytime phone  
13 number.

14 MS. NICHOLS: 202-331-9757. Thank you.

15 MEDIATOR FLETCHER: 202-331-9757?

16 MS. NICHOLS: Seven.

17 MEDIATOR FLETCHER: Seven?

18 MS. NICHOLS: Thank you.

19 MEDIATOR FLETCHER: Okay, thank you very  
20 much. So, there's a group of 15, so those  
21 individuals would stand. There's a microphone in  
22 front of Ms. Nichols. The only people that need

1 to sign in on the sign-in sheet only are the  
2 designated representatives, so we determined,  
3 just letting you know, that sign-in sheet, right  
4 there.

5 MR. KAMENY: Sure. Ma'am?

6 MEDIATOR FLETCHER: Yes?

7 MR. KAMENY: I have the proxy letter. My  
8 name is Steven Kameny, of 1520 O Street. I have  
9 six -- excuse me, one, two, four, five, six proxy  
10 letters --

11 MEDIATOR FLETCHER: Okay.

12 MR. KAMENY: -- designating me as the  
13 representative. May I hand these to you?

14 MEDIATOR FLETCHER: Yes, I'll take those,  
15 thank you. Thank you.

16 MR. FONSECA: Could you make copies? I could  
17 distribute them.

18 MEDIATOR FLETCHER: Yeah, I don't make  
19 copies. We'll yeah.

20 MR. FONSECA: I will just get copies.

21 MEDIATOR FLETCHER: Okay.

22 MR. FONSECA: Thank you.

1           MEDIATOR FLETCHER: Thank you. So, let me,  
2 if you'll stand up behind Ms. Nichols and just  
3 state your name for the record, and so Mr. Kameny  
4 -- that's -K-A-M-E-N-Y?

5           MR. KAMENY: K-A-M as in Mary, E-N as in  
6 Nancy, Y.

7           MEDIATOR FLETCHER: And the first name is  
8 Steven, right?

9           MR. KAMENY: S-T-E-V-E-N.

10          MEDIATOR FLETCHER: Okay. Thank you very  
11 much. If everyone else will stand behind --  
12 speak their name into the microphone that's on  
13 the table, so the court reporter can get it --  
14 right there. Thank you.

15          MR. BROOKE: Good morning, I'm Jeffrey  
16 Brooke. J-E-F-F-R-E-Y B-R-O-O-K-E.

17          MEDIATOR FLETCHER: B-R-O-O-K-E?

18          MR. BROOKE: And I, along with Ms. DeHart,  
19 have an existing voluntary agreement with the  
20 establishment.

21          MEDIATOR FLETCHER: Okay.

22          MR. BROOKE: To their liquor license and I

1 also am a designee so I will hand this to you.

2 MEDIATOR FLETCHER: Okay, thank you. So, Mr.  
3 Brooke, the -- did you sign the actual protest  
4 letter? I don't see that you signed it.

5 MR. BROOKE: I did not sign the initial  
6 protest letter, that's why I have the designation  
7 from one of the people who did.

8 MEDIATOR FLETCHER: Okay,

9 MR. BROOKE: I didn't think it was necessary  
10 --

11 MEDIATOR FLETCHER: You're representing Mr.  
12 Caruso?

13 MR. BROOKE: Correct.

14 MEDIATOR FLETCHER: Okay, thank you. Thank  
15 you very much. And, so, Mr. Brooke is  
16 representing, let's see if I have the spelling of  
17 this name correctly in our record. So is it  
18 Gary?

19 MR. BROOKE: Correct.

20 MEDIATOR FLETCHER: Okay, thank you very  
21 much. So, Mr. Brooke is representing Gary  
22 Caruso, okay.



1 MS. DEHART: I'm Meredith DeHart.

2 MEDIATOR FLETCHER: Ms. Hart, DeHart. Ms.  
3 DeHart will you spell your name for the record  
4 please?

5 MS. DEHART: The first name is M-E-R-E-D-I-T-  
6 H, the last name is D-E, capital H-A-R-T.

7 MEDIATOR FLETCHER: Thank you. Anyone else?  
8 Okay, is anyone else present?

9 MR. COGGINS: Good morning, my name is Robert  
10 Coggins. C-O-G-G-I-N-S.

11 MEDIATOR FLETCHER: Okay, Mr. Coggins. I  
12 have your name. We couldn't read your mailing  
13 address. Was that 1 Scot Circle?

14 MR. COGGINS: It is 1 Scot Circle.

15 MEDIATOR FLETCHER: Okay, I'm just going to  
16 clarify that's correct. I looked at it and it  
17 looked right but I wasn't sure. And is there a  
18 unit number?

19 MR. COGGINS: Yes, ma'am, apartment 310.

20 MEDIATOR FLETCHER: 310? And what's the zip  
21 code?

22 MR. COGGINS: 20036.

1           MEDIATOR FLETCHER: Thank you very much.

2   Good morning.

3           MS. MASTIN: Good morning. Hi, my name's

4   Katie Mastin. K-A-T-I-E M-A-S-T-I-N.

5           MEDIATOR FLETCHER: M-A-S-T-I-N?

6           MS. MASTIN: Yes, ma'am.

7           MEDIATOR FLETCHER: And that's K-A-T-I-E?

8           MS. MASTIN: Yes, ma'am.

9           MEDIATOR FLETCHER: Okay, thank you Ms.  
10 Mastin.

11          MR. MASTIN: I'm Paul Mastin. P-A-U-L M-A-S-  
12 T-I-N.

13          MEDIATOR FLETCHER: Thank you, Mr. Mastin.

14          MS. MORITZ: Melissa Moritz. M-E-L-I-S-S-A,  
15 last name M-O-R-I-T-Z.

16          MEDIATOR FLETCHER: Did you say Melissa?

17          MS. MORITZ: Yep.

18          MEDIATOR FLETCHER: Melissa.

19          MS. MORITZ: I'm a resident of the Spencer  
20 Condo building.

21          MEDIATOR FLETCHER: What's your last name,  
22 Melissa?

1 MS. MORITZ: M-O-R-I-T-Z.

2 MEDIATOR FLETCHER: I don't see that you  
3 signed a protest letter. Did you?

4 MS. MORITZ: I think so, but if it's not on  
5 there, I'm happy to add my name now or whatever  
6 the appropriate thing to do is.

7 MEDIATOR FLETCHER: Actually you would have  
8 needed to add your name by the petition deadline.  
9 If you're not sure, I'll let you see the list of  
10 signatures to confirm whether or not you did,  
11 would that help?

12 MS. MORITZ: Sure. I'm here now.

13 MEDIATOR FLETCHER: Yeah, but you can only --  
14 you have to file the protest by a deadline, and  
15 so the last date on which to sign the protest  
16 letter was July the 25th.

17 MS. MORITZ: Okay.

18 MEDIATOR FLETCHER: Okay, so you already know  
19 you didn't sign it?

20 MS. MORITZ: I'm not sure. I don't know  
21 whether or not, yeah. Okay, thanks.

22 MEDIATOR FLETCHER: I'll just show you the

1 letter. Do you see your signature? I didn't see  
2 it but I could be wrong.

3 MS. MORITZ: Nope it isn't there.

4 MEDIATOR FLETCHER: Okay, so what that means  
5 is you won't be among the group of 15 granted  
6 standing, however there is a protest hearing so  
7 you are welcome to come to that. But thank you.  
8 But let me get your name one more time.

9 MS. MORITZ: Yes, happily. Melissa Moritz.  
10 Last name M-O-R-I-T-Z.

11 MEDIATOR FLETCHER: Okay, thank you very  
12 much.

13 MS. MORITZ: Yep. Do you need my address?

14 MEDIATOR FLETCHER: No, I assume you live in  
15 the same.

16 MS. MORITZ: I live in the center, yeah.

17 MEDIATOR FLETCHER: That's it. Okay. Thank  
18 you very much. You can take a seat now and I'll  
19 grant standing to the groups. The ANC 2B has  
20 standing as a protestant. Mr. Kameny I'm going  
21 to look at the letters of designation that you  
22 gave me.

1 MR. KAMENY: Thank you.

2 MEDIATOR FLETCHER: You're representing. The  
3 protest letter from the group of 15 designated  
4 all of the protestants as a designated  
5 representative. So, are you going to become the  
6 one designated representative for everyone?  
7 Because we need just one. Is everybody here okay  
8 with Mr. Kameny? Okay, so what that means, Mr.  
9 Kameny you're the designated representative for  
10 the group, so you need to put your contact  
11 information on that sheet.

12 MR. KAMENY: My contact information is there.

13 MEDIATOR FLETCHER: And I'm going to take  
14 these letters and add them to the file, the  
15 letters of designation that you gave me. But  
16 according to the protest letter you can represent  
17 everybody so I don't need -- I'm just going to  
18 add these to the record.

19

20 MR. KAMENY: Okay, I'll put my street  
21 address.

22 MEDIATOR FLETCHER: I'm just going to make

1    sure that the people that gave you these letters  
2    actually signed the protest letter.

3           MR. KAMENY:   Okay.

4           MEDIATOR FLETCHER:   Okay, just give me one  
5    second.   Okay, I see the name on one of these  
6    letters that may be a name that I couldn't read.  
7    That is LOYD.

8           MR. KAMENY:   His name is Loyd Rhiddlehoover.

9           MEDIATOR FLETCHER:   Yes, that's the name I  
10   couldn't read, so I'll state it and spell it for  
11   the record so Mr. Fonseca will know who it is  
12   also.   So, someone by the name of Loyd, L-O-Y-D,  
13   I'll spell his last name, it's R-H-I-D-D-L-E-H-O-  
14   O-V-E-R.   His name was on the protest letter but  
15   not legible, so .

16          MR. KAMENY:   I see.   I'll advise him he's on  
17   there.

18          MEDIATOR FLETCHER:   Thank you, now we know  
19   who it is.

20          MR. KAMENY:   Sure.

21          MEDIATOR FLETCHER:   Mr. Kameny?

22          MR. KAMENY:   Yes?

1           MEDIATOR FLETCHER: Have you given your  
2 letter to someone by the name of Gonzalo Cabral?  
3 G-O-N-Z-A-L-O, the last name is spelled C-A-B-R-  
4 A-L. I don't think that this person signed the  
5 protest letter.

6           MR. KAMENY: Let me look, just a moment.

7           MEDIATOR FLETCHER: Mm hmm.

8           MR. KAMENY: Yeah, I do not see --

9           MEDIATOR FLETCHER: So, just for the record,  
10 Gonzalo Cabral is not a protestant in this  
11 matter.

12          MR. KAMENY: Okay.

13          MEDIATOR FLETCHER: And you gave me a letter  
14 for somebody by the name of Alexander, and you  
15 spelled his last name -- his last name is spelled  
16 P-O-M-M-E-R?

17          MR. KAMENY: Yes, he's on the list.

18          MEDIATOR FLETCHER: Yeah, I just couldn't  
19 read his last name, but it's P-O-M-M-E-R?

20          MR. KAMENY: That's correct.

21          MEDIATOR FLETCHER: Okay. Thank you.  
22 Because there are at least five individuals

1 present from the group of 15, the group of 15 is  
2 granted standing as a protestant. And, Mr.  
3 Fonseca, you know we'll get copies of these for  
4 you.

5 MR. FONSECA: I appreciate that. Thank you  
6 very much. I think I'm taking decent notes, but  
7 -- at this point, so the record's clear that  
8 there's a group of -- there's a group of six that  
9 have appeared.

10 MEDIATOR FLETCHER: A group of six that have  
11 appeared.

12 MR. FONSECA: The only thing I wanted clarity  
13 on because I didn't turn around and see what was  
14 going on and asked if everyone here was going to  
15 designate Mr. Kameny.

16 MEDIATOR FLETCHER: Yeah.

17 MR. FONSECA: Because I know on the record  
18 that Mr. Brooke came in representing -- the  
19 designated representative for Gary Caruso.

20 MEDIATOR FLETCHER: Yeah.

21 MR. FONSECA: So is that going to switch over  
22 now so Mr. Kameny is representing all?



1           MEDIATOR FLETCHER: So, Mr. Brooke -- so, is  
2 Mr. Kameny going to also represent Mr. Caruso or?  
3 Okay. Thank you. And so now, Mr. Kameny, you  
4 represent everybody.

5           MR. KAMENY: Okay, thank you.

6           MEDIATOR FLETCHER: So, we need to set a date  
7 for a mediation, a status hearing and a protest  
8 hearing. I'll give you the dates of the status  
9 and protest hearing first. The status hearing is  
10 set for September the 28th --

11          MR. KAMENY: Ma'am?

12          MEDIATOR FLETCHER: Yes?

13          MR. KAMENY: I might be on official  
14 government travel at that time. I've not  
15 confirmed it.

16          MEDIATOR FLETCHER: Yes. Well, you know what  
17 you can do, Mr. Kameny, that is the date  
18 available on the board's calendar at this time.

19          MR. KAMENY: Okay.

20          MEDIATOR FLETCHER: If you cannot be  
21 available on the 28th, the only thing that  
22 happens on the 28th is someone has to give the

1 board the status of the case, so it's just  
2 someone -- they'll want to know if you  
3 participated in mediation, yes or no.

4 MR. KAMENY: Okay.

5 MEDIATOR FLETCHER: And so you can designate  
6 someone else to do that, either Ms. Nichols, if  
7 she's coming.

8 MS. NICHOLS: I will not be able to be here  
9 either.

10 MEDIATOR FLETCHER: So, Ms. Nichols, you know  
11 the procedure. You can designate someone else  
12 for the status hearing -- someone just needs to  
13 come to say if you did mediation or not, so that  
14 can be anybody that you designate.

15 MR. KAMENY: Thank you.

16 MEDIATOR FLETCHER: So, the status hearing  
17 will be set for September 28th at 9:30 a.m. But  
18 let's just say you wanted to ask the board to  
19 reschedule that date, you would have to make that  
20 request to the ABC Board through Martha Jenkins.

21 MR. KAMENY: Martha Jenkins?

22 MEDIATOR FLETCHER: Mm hmm.

1           MR. FONSECA:   Okay.   If I may, I'm thinking  
2   consent from us might make it a little bit  
3   easier?

4           MEDIATOR FLETCHER:   Yes, that's the next  
5   part.   You'd also have to copy Mr. Fonseca if you  
6   request that change in the date.

7           MR. KAMENY:   Okay.

8           MEDIATOR FLETCHER:   So, Martha Jenkins' email  
9   is Martha, M-A-R-T-H-A, dot Jenkins -- J-E-N-K-I-  
10   N-S at DC dot gov.

11          MR. KAMENY:   DC dot gov?

12          MEDIATOR FLETCHER:   Yes.

13          MR. KAMENY:   Thank you.

14          MEDIATOR FLETCHER:   And you can just  
15   designate even Mr. Brooke.

16          MR. KAMENY:   Okay.

17          MEDIATOR FLETCHER:   To come down and just say  
18   whether mediation was held.   So, there will be a  
19   mediation September 28, that's assume that for a  
20   moment if the matter is resolved in mediation  
21   then there is no status hearing.

22          MR. KAMENY:   Okay.

1           MEDIATOR FLETCHER: If the board approves a  
2 settlement agreement there is no protest hearing.

3           MR. KAMENY: Okay.

4           MEDIATOR FLETCHER: So, the status hearing  
5 only takes place if there's no agreement in  
6 mediation.

7           MR. KAMENY: Okay.

8           MEDIATOR FLETCHER: The protest hearing is  
9 set for November the 9th.

10          MR. KAMENY: November 9th.

11          MEDIATOR FLETCHER: Yes, November 9 at 4:30  
12 p.m.

13          MR. KAMENY: Would you please clarify the  
14 September 28th meeting? Can you give me the  
15 time?

16          MEDIATOR FLETCHER: Yes, 9:30 a.m.

17          MR. KAMENY: 9:30 a.m.

18          MEDIATOR FLETCHER: Mm hmm. That is on  
19 September 28 at 9:30. We need to set a date for  
20 mediation. Mr. Fonseca, from a previous case  
21 there was a week or day you weren't available.

22          MR. FONSECA: That's what I was just thinking

1 and it appears the week of September 12. That  
2 won't work for me.

3 MEDIATOR FLETCHER: That's the week you're  
4 not available? Okay.

5 MR. FONSECA: Do you want to push it to the  
6 week of the 19th?

7 MEDIATOR FLETCHER: The week of the 19th we  
8 can do it on September 20 at 9:00, 10:00 or 11:00  
9 or 1:00

10 MR. FONSECA: What day of the week is that?

11 MEDIATOR FLETCHER: That's a Tuesday.

12 MR. FONSECA: Tuesday, September 20.

13 MEDIATOR FLETCHER: Mm hmm. At 9:00, 10:00  
14 or 11:00 or 1:00.

15 MR. KAMENY: My preference would be 9:00 if  
16 that's okay with you.

17 MR. FONSECA: I'm flexible.

18 MEDIATOR FLETCHER: 9:00?

19 MR. KAMENY: Ma'am if you give me just one  
20 moment to confirm my schedule?

21 MEDIATOR FLETCHER: Yes.

22 MR. KAMENY: Tuesday, September 20 at 9:00

1 a.m.?

2 MEDIATOR FLETCHER: Yes, does that work for  
3 you?

4 MR. KAMENY: Yes, it does.

5 MEDIATOR FLETCHER: Mediation is set for  
6 Tuesday, September 20 at 9:00 a.m.

7 MR. KAMENY: Great.

8 MEDIATOR FLETCHER: Mr. Kameny

9 MR. KAMENY: Yes, ma'am?

10 MEDIATOR FLETCHER: Did you put your contact  
11 information on that sheet?

12 MR. KAMENY: Yes, I did.

13 MEDIATOR FLETCHER: Because the next  
14 communication will be by e-mail.

15 MR. KAMENY: Okay.

16 MEDIATOR FLETCHER: So, you're going to get  
17 an official hearing notice for all the dates that  
18 were given today.

19 MR. KAMENY: Great. You also have contact  
20 information on the sign-up sheet.

21 MEDIATOR FLETCHER: Oh, I do?

22 MR. KAMENY: Yeah. Or, rather, you have it

1 on the letter.

2 MEDIATOR FLETCHER: You have it on the letter  
3 that you gave me.

4 MR. KAMENY: Yes. And I also communicated  
5 with ABRA by e-mail.

6 MEDIATOR FLETCHER: Okay, that's perfect.

7 MR. KAMENY: But it's duplicated on the sign-  
8 up sheet, so you're fine.

9 MEDIATOR FLETCHER: Thank you. And your  
10 daytime phone number is on there?

11 MR. KAMENY: Yes, it is.

12 MEDIATOR FLETCHER: Okay. Are there any  
13 questions at all?

14 MR. KAMENY: No. Thank you very much.

15 MEDIATOR FLETCHER: The roll call hearing is  
16 concluded. Thank you.

17 [Whereupon, the above-entitled matter  
18 concluded.]